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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Peter LÖSBROCK et al.

Appl. No. : 10/814,635

Confirmation No.: 7567

Filed: April 1, 2004

For: APPARATUS AT A SPINNING
PREPARATION MACHINE FOR
DETECTING WASTE SEPARATED
OUT FROM A FIBRE MATERIAL

Art Unit: 3653

Examiner: Joseph C. Rodriguez

Atty. Docket No.: 32368-202378

Customer No.

26694

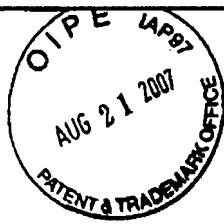
PATENT TRADEMARK OFFICE

Second Request for Refund

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

An Information Disclosure Statement for the above-mentioned application was filed on March 21, 2006. Although the Information Disclosure Statement was filed after the mailing date of a first Office Action, the Information Disclosure Statement included a statement under 1.97(e). Therefore, the Information Disclosure Statement fee of \$180.00 was charged to our deposit account in error, since the information contained in the Information Disclosure Statement was first cited in the French Search Report not more than three months prior to the filing of the Information Disclosure Statement. A copy of the Information Disclosure Statement is enclosed, along with our deposit account statement evidencing the charge to our account by the Patent Office. Please refund \$180.00 to our deposit account no. 22-0261 and notify the undersigned accordingly.



Applicants: Peter LÖSBROCK et al.
Appl. No.: 10/814,635

If the amount is not refunded, the Office is respectfully requested to provide an explanation for the charges.

Date: 8/21/07

Respectfully submitted,

Steve Schwarz

Steven J. Schwarz
Registration No. 47,070
VENABLE LLP
P.O. Box 34385
Washington, D.C. 20043-9998
Telephone: (202) 344-4000
Telefax: (202) 344-8300

DC2DOCS1\832833

Fields, Regina G.



From: Roberts, Marc C.
Sent: Monday, August 06, 2007 2:31 PM
To: Fields, Regina G.
Subject: RE: IDS fee charged in error to Deposit Account

It should be in the file because a request for refund was filed 4/19/06, but we never received it. However, line 3 below shows the charge.

Deposit Account Statement - Microsoft Internet Explorer provided by Vendable LLP

File Edit View Favorites Tools Help

Back - Search Favorites | <https://ramps.uspto.gov/eram/Controller;jsessionid=0000lwvRFz5k3AWePAYcLh2Cxqj:11g10965f> Go

Date	Ref ID	Fee Type	Amount	Total	
03/29 131	09830290	38787-171294	2251	\$60.00	\$87,234.06
03/29 152	11386705	32011-229434	8021	\$40.00	\$87,194.06
03/29 1	10814635	32368-202378	1806	\$180.00	\$87,014.06
03/29 32	11261762	41567-223315	2051	-\$65.00	\$87,079.06
03/29 1825	78848814	37114-229606	7001	\$325.00	\$86,754.06
03/29 246	29252105	32011-227467	8021	\$40.00	\$86,714.06
03/29 2075	78848944	37114-229607	7001	\$325.00	\$86,389.06
03/29 2163	78848984	41345-229818	7001	\$325.00	\$86,064.06
03/30 1	60776236	32405-225858	8021	\$40.00	\$86,024.06
03/30 50	60773684	32405-228898	8021	\$40.00	\$85,984.06
03/30 71	60776237	32405-225859	8021	\$40.00	\$85,944.06
03/30 231	76611332	26085-207717	7004	\$150.00	\$85,794.06
03/30 257	76611331	26085-207715	7004	\$150.00	\$85,644.06
03/30 288	76611327	26085-207712	7004	\$150.00	\$85,494.06
03/30 137	29256136	32405-228104	8021	\$40.00	\$85,454.06
03/30 142	29256135	32405-228106	8021	\$40.00	\$85,414.06
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03/30 797	78849404	37114-229833	7001	\$325.00	\$84,764.06
03/30 845	78849431	00831-229810	7001	\$325.00	\$84,439.06
03/30 861	78849439	00831-229813	7001	\$325.00	\$84,114.06
03/30 868	78849445	00831-229812	7001	\$325.00	\$83,789.06
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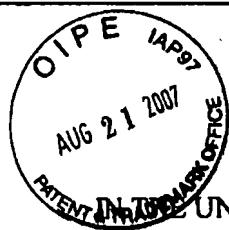
Done Local intranet

-----Original Message-----

From: Fields, Regina G.
Sent: Monday, August 06, 2007 1:18 PM
To: Roberts, Marc C.
Subject: IDS fee charged in error to Deposit Account

Hi Marc,

Could you give me a print out of a deposit account charge for 32368-202378 for a \$180.00 IDS fee. The IDS was originally filed on March 21, 2006.



UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Peter LÖS BROCK *et al.*

Appln. No.: 10/814,635

Confirmation No.: 7567

Filed: April 1, 2004

For: APPARATUS AT A SPINNING
PREPARATION MACHINE FOR
DETECTING WASTE SEPARATED
OUT FROM FIBRE MATERIAL

Art Unit: 3653

Examiner: Joseph C. Rodriguez

Atty. Docket No: 32368-202378

Customer No:

26694
PATENT TRADEMARK OFFICE

Second Information Disclosure Statement

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is an Information Disclosure Statement submitted under 37 C.F.R. § 1.97 within the time specified under 37 C.F.R. § 1.97(c).

In order to comply with the duty of disclosure pursuant to 37 C.F.R. § 1.56, submitted herewith is a Form PTO/SB/08A listing three of the five documents cited in the attached French Patent Office Search Report for French Application No. 04 03475. The two remaining references, EP 0 399 315 and U.S. Patent No. 5,181,295, were previously made of record in an Information Disclosure Statement filed on April 29, 2004, and by the Examiner in the Office Action dated September 28, 2005, respectively. The relevance of each document is indicated in the Search Report. A copy of EP 0 226 430 is included herewith. All of the other references are U.S. patents or U.S. publications, and copies are not required.

Applicants: Peter LÖSROCK *et al.*
Application No.: 10/814,635

The instant Information Disclosure Statement is being filed after the mailing date of the first Office Action. Accordingly, pursuant to 37 C.F.R. §1.97(c)(1), a statement under 37 CFR 1.97(e) is required.

Statement

Pursuant to 37 C.F.R. § 1.97(e), on information and belief, each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement.

In view of the above, as all requirements of 37 C.F.R. § 1.97 and all official guidelines pertaining to Information Disclosure Statements have been complied with, it is respectfully requested that the Examiner consider the documents and make them of record.

Respectfully submitted,

Date: March 21, 2006


Steven J. Schwarz
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VENABLE LLP
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Washington, DC 20043-9998
Telephone: (202) 344-4000
Telefax: (202) 344-8300

SJS/SJB
#734526



PTO/SB/06a/b (07-05)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449A/B/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet	1	of	1	Attorney Docket Number	
				Complete If Known	
				Application Number	10/814,635
				Filing Date	April 1, 2004
				First Named Inventor	Peter LÖSROCK et al.
				Art Unit	3653
				Examiner Name	Joseph C. Rodriguez

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No.*	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
AA	US-5,819,373 A	10-13-1998	SCHLICHTER et al.		
AB	US-2002/078532 A1	06-27-2002	HOSEL et al.		
AC	US-				
AD	US-				
AE	US-				
AF	US-				
AG	US-				
AH	US-				
AI	US-				
AJ	US-				

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No.*	Foreign Patent Document Country Code ³ -Number-Kind Code ³ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
BA	EP 0 226 430		06-24-1987	UNISEARCH LIMITED	
BB					
BC					
BD					
BE					
BF					
BG					
BH					
BI					
BJ					

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

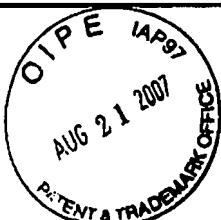
NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No.*	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶
CA			
CB			
CC			
CD			
CE			

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature	Date Considered
#734557	



PTO/SB/17 (01-08)

Approved for use through 7/31/2008. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL For FY 2006

		Complete If Known	
		Application Number	10/814,635 – Conf.# 7567
		Filing Date	April 1, 2004
		First Named Inventor	Peter Lösbrock
		Examiner Name	Joseph C. Rodriguez
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Art Unit	3653
TOTAL AMOUNT OF PAYMENT (\$)		(\$)	0.00
		Attorney Docket No.	32368-202378

METHOD OF PAYMENT (check all that apply)

<input type="checkbox"/> Check	<input type="checkbox"/> Credit Card	<input type="checkbox"/> Money Order	<input type="checkbox"/> None	<input type="checkbox"/> Other (please identify): _____
<input checked="" type="checkbox"/> Deposit Account Deposit Account Number: 22-0261 Deposit Account Name: Venable LLP				

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

<input type="checkbox"/> Charge fee(s) indicated below	<input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee
<input checked="" type="checkbox"/> Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17	<input checked="" type="checkbox"/> Credit any overpayments

FEE CALCULATION (All the fees below are due upon filing or may be subject to a surcharge.)

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		
	Fee (\$)	Small Entity	Fee (\$)	Small Entity	Fee (\$)	Small Entity	Fees Paid (\$)
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description

Each claim over 20 (including Reissues)

Small Entity	
Fee (\$)	Fee (\$)
50	25
200	100
360	180

Each independent claim over 3 (including Reissues)

Multiple dependent claims

Small Entity					
Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims	
- 20 =	x	=		Fee (\$)	Fee Paid (\$)
HP = highest number of total claims paid for, if greater than 20.					
Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)		
- 3 =	x	=			
HP = highest number of independent claims paid for, if greater than 3.					

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/50	(round up to a whole number) x		=

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): _____

SUBMITTED BY

Signature	Steven Schwarz	Registration No. (Attorney/Agent)	47,070	Telephone	(202) 344-4000
Name (Print/Type)	Steven J. Schwarz			Date	8/21/07

#833305



DEP-R

PTO/SB/21 (09-06)

Approved for use through 03/31/2007. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	10/814,635 – Conf.# 7567
Filing Date	April 1, 2004
First Named Inventor	Peter LÖSBROCK et al.
Art Unit	3653
Examiner Name	Joseph C. RODRIGUEZ
Attorney Docket Number	32368-202378

ENCLOSURES (Check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Second Request for Refund <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosures (please identify below):
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	VENABLE LLP		
Signature			
Printed name	Steven J. Schwarz		
Date	8/21/07	Reg. No.	47,070

#833317

United States Patent and Trademark Office
- Sales Receipt -

03/29/2006 PALLEN 00000001 220261 10814635

01 FC:1806 180.00 DA

Adjustment date: 09/07/2007 SFELEKE1
03/29/2006 PALLEN 00000001 220261 10814635
01 FC:1806 180.00 CR